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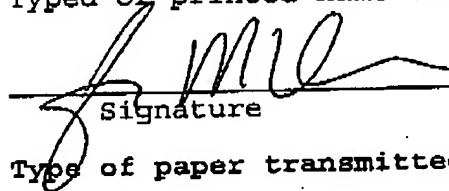
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Type of paper transmitted: Response to Notice of Non-Compliant

Amendment

Applicant's Name: Hess et al.

Serial No. (Control No.): 10/22,610 Examiner: Mark T. Le

Filing Date: November 26, 2003 Art Unit: 3617

Application Title: CONTROL SYSTEM FOR OPTIMIZING THE OPERATION  
OF TWO OR MORE LOCOMOTIVES OF A CONSIST

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4069DIV/GETS 5294.2  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Gerald James Hess, Jr. et al.

Art Unit 3617

Serial No. 10/722,610

Filed November 26, 2003

Confirmation No. 7096

For: CONTROL SYSTEM FOR OPTIMIZING THE OPERATION OF TWO OR MORE  
LOCOMOTIVES OF A CONSIST

Examiner: Mark T. Le

October 22, 2004

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Notice of Non-Compliant Amendment mailed October 7, 2004 (copy enclosed), and in compliance with 37 C.F.R. 1.121(h) applicants resubmit the enclosed Amendment to the Claims section of Amendment A filed on September 15, 2004. Applicants submit that the corrected Amendment to the Claims section provides a complete listing of all the claims.